IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 20080 of 2004

Between:

M/s. Klen and Marshalls Manufacturers & Exporters (P) Ltd. Branch office at 9-1-83 & 84, Amarchand Sharma Complex,
S.P.Road, Secunderabad, rep. by its Authorised Signatory R.Vijay Kumar.

..... PETITIONER

AND

1 The Additional Commissioner of Taxes, Office of the Commissioner of Commercial Taxes, Hyderabad.
2 The Appellate Dy. Commissioner (CT), Panjagutta Division, Hyderabad.
3 The Commercial Tax Officer, Khairatabad Circle, Hyderabad.
4 The Director (Finance), APTRANSCO, Somajiguda, Hyderabad.
5 M/s. A.P.Central Power Distribution Company Ltd.,

Opp. Singareni Bhavan, Khairtabad, Hyd.
6 M/s. A.P. Eastern Power Distribution Company Ltd., Dhaba Gardens, Visakhapatnam.
7 M/s. A.P. Northern Power Distribution Company, Opp: REC Petrol Pump, Kazipet, Warangal.
8 M/s. A.P. Southern Power Distribution Company, Renigunta Road, Tirupati.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to

Issue Writ order or direction more particularly one in the nature of writ of Mandamus by setting-aside the impugned notice U/S. 17 of APGST Act, dt. 27.10.2004, issued by the 3rd respondent as illegal and violative of the rules of natural justice.

Counsel for the Petitioner:MR.B.CHANDRASEN REDDY

Counsel for the Respondents 1 to 3: GP FOR COMMERCIAL TAX

Counsel for the Respondents 4 to 8 : Mrs M.Vinobha Devi

The Court at the stage of admission made the following :

ORDER: (per Hon'ble Sri Justice Bilal Nazki)

Heard the learned counsel for the parties. With their consent, the writ petition is disposed of at this stage.

Petitioner's grievance is that an application for grant of stay was rejected, and against the order of rejection, he has filed a revision, which is pending. Pending revision, notice under Section 17 of the A.P. General Sales Tax Act has been served on him. After hearing both sides, we feel that the interest of justice would be met if the notice under Section 17 of the Act is stayed, till the revision is disposed of by the 1st respondent.

In these circumstances, the 1st respondent is directed to dispose of the revision as expeditiously as possible. Till he decides the matter, notice under Section 17 of the

Act shall not be given effect to.

Writ Petition is disposed of accordingly. No order as to costs.

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(BILAL NAZKI,J)

Dated:02.11.2004

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(S.ANANDA REDDY,J)

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To

1 The Additional Commissioner of Taxes, Office of the Commissioner of Commercial Taxes, Hyderabad.
2 The Appellate Dy. Commissioner (CT), Panjagutta Division, Hyderabad.
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9 2 CCs to the G.P. for Commercial Taxes, High Court

Buildings, High Court of A.P. Hyderabad (OUT)

10 2 CD copies.